

The Honorable Ricardo Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KENNETH FLEMING and JOHN DOE,

No. 4-2338 RSM

Plaintiffs,

v.

**DEFENDANT COP'S FIRST  
INTERROGATORIES AND  
REQUESTS FOR PRODUCTION  
TO PLAINTIFF KENNETH  
FLEMING**

THE CORPORATION OF THE  
PRESIDENT OF THE CHURCH OF  
JESUS CHRIST OF LATTER-DAY  
SAINTS, a Utah corporation sole, a/k/a  
"MORMON CHURCH"; LDS SOCIAL  
SERVICES a/k/a LDS FAMILY SERVICES,  
a Utah corporation,

Defendants.

**TO: PLAINTIFF KENNETH FLEMING**

**AND TO: MICHAEL PFAU and TIMOTHY KOSNOFF, Counsel for Plaintiffs**

**I. GENERAL DEFINITIONS AND PROCEDURES**

Pursuant to FRCP 26, 33, and 34, you are hereby served with defendant Corporation of the President of The Church of Jesus Christ of Latter-day Saints' First Interrogatories and Requests for Production to plaintiff Kenneth Fleming. Please type your answers in the space provided; if needed, add additional pages. Return the verified

DEFENDANT COP's FIRST INTERROGATORIES AND  
REQUESTS FOR PRODUCTION TO PLAINTIFF  
KENNETH FLEMING -- 1 No. 04-2338 RSM  
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**STAFFORD FREY COOPER**

PROFESSIONAL CORPORATION  
601 Union Street, Suite 3100  
Seattle WA 98101.1374

1 original of the completed interrogatories and requests for production to Thomas D. Frey or  
2 Marcus B. Nash, Stafford Frey Cooper, 3100 Two Union Square, 601 Union Street,  
3 Seattle, WA 98101-1374, within thirty (30) days of service of these interrogatories and  
4 requests for production upon you.

5 **II. SCOPE OF ANSWERS AND RESPONSES**

6 By use of the pronoun "you," it is intended that the answers are to include all  
7 information known to or reasonably ascertainable by plaintiff Kenneth Fleming, his agents,  
8 attorneys, investigators, and other representatives.

9 **III. TIME**

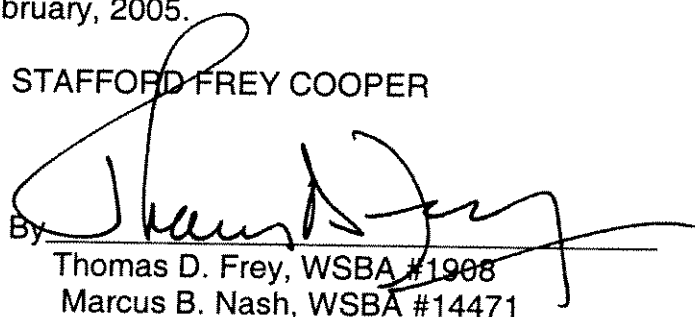
10 These interrogatories are continuing in nature and in the event you discover further  
11 information that is responsive to these interrogatories, you are required to supplement your  
12 prior response in accordance with FRCP 26(e).

13 **IV. INAPPROPRIATE SEXUAL CONTACT**

14 As used herein, the phrase "inappropriate sexual contact" means any alleged  
15 contact between Jack LoHolt/Onefrey's mouth, hand(s), or genitalia, and your genitalia or  
16 other intimate parts, either directly or through clothing.

17 DATED this 15<sup>th</sup> day of February, 2005.

18 STAFFORD FREY COOPER

19  
20 By   
21 Thomas D. Frey, WSBA #1908  
22 Marcus B. Nash, WSBA #14471  
23 Attorneys for Defendants

**INTERROGATORIES AND REQUESTS FOR PRODUCTION**

**INTERROGATORY NO. 1:** Identify your current address and Social Security Number.

ANSWER:

**INTERROGATORY NO. 2:** Identify your residence addresses since 1962 to date, including the dates that you resided there.

ANSWER:

**INTERROGATORY NO. 3:** State the name and current or last known address all persons (men and women) with whom you have had a romantic, sexual, or dating relationship since the age of twelve (12), including the dates of the relationship.

ANSWER:

**INTERROGATORY NO. 4:** Identify all doctors, physicians, osteopaths or other health care providers who have treated or evaluated you. For each, state the nature of the treatment and approximate date(s) thereof.

ANSWER:

1 **INTERROGATORY NO. 5:** Identify all psychologists, psychiatrists, counselors or other  
2 mental health care providers who have treated or evaluated you. For each, state the  
3 nature of the treatment and approximate date(s) thereof.

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ANSWER:

**INTERROGATORY NO. 6:** Identify all employers (including periods of self-employment)  
for whom you have worked, and the dates of such employment.

ANSWER:

**REQUEST FOR PRODUCTION NO. 1:** Please produce, for inspection and copying, all  
employment records in your possession for the employers identified in response to  
Interrogatory No. 6.

RESPONSE:

**INTERROGATORY NO. 7:** With respect to the occurrences of inappropriate sexual  
contact that you attribute to Jack LoHolt/Onefrey, please identify the date of such alleged  
occurrence of sexual contact (to the best of your ability), the place in which the alleged  
inappropriate sexual contact occurred, and describe the acts of inappropriate sexual  
contact by Jack LoHolt/Onefrey that allegedly took place during this occurrence.

ANSWER:

1 **REQUEST FOR PRODUCTION NO. 2:** Please produce, for inspection and copying, any  
2 document that explains, addresses, or concerns any alleged occurrence of inappropriate  
sexual contact that you attribute to Jack LoHolt/Onefrey.

3 RESPONSE:  
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6 **REQUEST FOR PRODUCTION NO. 3:** Please produce, for inspection and copying, any  
7 document that explains, addresses, or concerns any alleged occurrence of inappropriate  
sexual contact that you attribute to anyone other than Jack LoHolt/Onefrey.

8 RESPONSE:  
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11 **INTERROGATORY NO. 8:** Identify each person that you informed that you were the  
12 victim of inappropriate sexual contact and, to the best of your ability, the date that you  
informed such person.

13 ANSWER:  
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16 **REQUEST FOR PRODUCTION NO. 4:** Please produce, for inspection and copying, any  
17 document that you created, sent, or received that communicates to a third person any  
18 alleged occurrence of inappropriate sexual contact that you attribute to anyone, including  
Jack LoHolt/Onefrey.

19 RESPONSE:  
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1 **INTERROGATORY NO. 9:** Identify every police officer, detective, prosecutor, or any other  
2 person associated with law enforcement that you told you had been the victim of  
inappropriate sexual contact and, to the best of your ability, the date that you informed  
such person(s).

3 ANSWER:  
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7 **REQUEST FOR PRODUCTION NO. 5:** Please produce, for inspection and copying, any  
document that you created, sent, or received that communicates to any police officer,  
8 detective, prosecutor or any other person associated with law enforcement that you have  
been the victim of inappropriate sexual contact.

9 RESPONSE:  
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12 **INTERROGATORY NO. 10:** If you are making a claim for lost wages, please state the  
amount of such claim.

13 ANSWER:  
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17 **INTERROGATORY NO. 11:** If you are making a claim for lost earning capacity please  
state the amount of such claim.

18 ANSWER:  
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1 **REQUEST FOR PRODUCTION NO. 6:** If you answered yes to either Interrogatory Nos.  
2 10 or 11 and are making a claim for lost wages or lost earning capacity, please produce,  
3 for inspection and copying, all W-2's, check stubs, and federal income tax returns  
4 prepared and/or filed by you for the last fifteen (15) years.

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8 RESPONSE:

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12 **INTERROGATORY NO. 12:** If you are making a claim for expenses incurred for medical  
13 or psychological treatment please state the amount of such claim.

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17 ANSWER:

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21 **REQUEST FOR PRODUCTION NO. 7:** Please produce, for inspection and copying, all  
22 billing records related to your medical care or psychological care in the period following the  
23 first act of alleged inappropriate sexual contact by Jack LoHolt/Onefrey.

RESPONSE:

**INTERROGATORY NO. 13:** For each person intend to use as an expert witness to  
testify at trial, identify and supply the information required by FRCP 26(2)(A)(B).

ANSWER:



1 **REQUEST FOR PRODUCTION NO. 8:** Please produce, for inspection and copying, any  
2 letters, notes, reports, or other written correspondence generated by all experts identified  
3 in response to Interrogatory No. 13 relating to the work done or opinions generated.

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8 RESPONSE:

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12 **REQUEST FOR PRODUCTION NO. 9:** Please produce, for inspection and copying, all  
13 journals, diaries, or other similar written or recorded recollection of events during your  
14 lifetime, concerning Jack LoHolt/Onefrey, your family and/or the LDS Church.

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18 RESPONSE:

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22 **REQUEST FOR PRODUCTION NO. 10:** Please produce for inspection and copying any  
23 photographs or videos depicting you and Jack LoHolt/Onefrey taken by you and/or Jack  
LoHolt/Onefrey.

RESPONSE:



VERIFICATION

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

KENNETH FLEMING, being first duly sworn on oath, deposes and states:

I am the plaintiff herein, have read the foregoing Interrogatories and Requests for Production, and answers and responses thereto, and believe the same to be true and correct.

\_\_\_\_\_  
KENNETH FLEMING

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2005.

\_\_\_\_\_  
Signature  
Print name: \_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
\_\_\_\_\_, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**ATTORNEY CERTIFICATION**

ANSWERS DATED: \_\_\_\_\_, 2005.

The undersigned attorney has read and/or reviewed the foregoing answers to interrogatories and responses to requests for production and certifies that they comply with FRCP 26, 33, and 34.

\_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below true and correct copies of ***Defendant COP's First Interrogatories and Requests for Production to Plaintiff Kenneth Fleming*** on the following individuals:

Michael T. Pfau  
Gordon Thomas Honeywell  
Malanca Peterson & Daheim  
600 University Street, Suite 2100  
Seattle, WA 98101-4185

*Co-Counsel for Plaintiffs*

☐ Via Facsimile  
☒ Via Mail  
☐ Via Messenger

Timothy D. Kosnoff  
Law Offices of Timothy D. Kosnoff  
600 University Street, Suite 2100  
Seattle, WA 98101

*Co-Counsel for Plaintiffs*

☐ Via Facsimile  
☒ Via Mail  
☐ Via Messenger

DATED this 15<sup>th</sup> day of February, 2005, at Seattle, Washington.

  
Mary Ann Jarrett

14

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**STAFFORD FREY COOPER**

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

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## II. SCOPE OF ANSWERS AND RESPONSES

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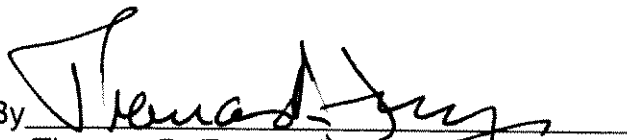
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DATED this 15<sup>th</sup> day of February, 2005.

STAFFORD FREY COOPER

By

  
Thomas D. Frey, WSBA #1908  
Marcus B. Nash, WSBA #1447  
Attorneys for Defendants

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amount of such claim.

13 ANSWER:  
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RESPONSE:

**INTERROGATORY NO. 13:** For each person intend to use as an expert witness to  
testify at trial, identify and supply the information required by FRCP 26(2)(A)(B).

ANSWER:

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23 photographs or videos depicting you and Jack LoHolt/Onefrey taken by you and/or Jack  
LoHolt/Onefrey.

**RESPONSE:**

**VERIFICATION**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

\_\_\_\_\_, being first duly sworn on oath, deposes and states:

I am the plaintiff herein, have read the foregoing Interrogatories and Requests for Production, and answers and responses thereto, and believe the same to be true and correct.

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2005.

\_\_\_\_\_  
Signature  
Print name: \_\_\_\_\_  
NOTARY PUBLIC in and for the State of \_\_\_\_\_  
\_\_\_\_\_, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**ATTORNEY CERTIFICATION**

ANSWERS DATED: \_\_\_\_\_, 2005.

The undersigned attorney has read and/or reviewed the foregoing answers to interrogatories and responses to requests for production and certifies that they comply with FRCP 26, 33, and 34.

\_\_\_\_\_

24

**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below true and correct copies of ***Defendant COP's First Interrogatories and Requests for Production to Plaintiff John Doe*** on the following individuals:

Michael T. Pfau  
Gordon Thomas Honeywell  
Malanca Peterson & Daheim  
600 University Street, Suite 2100  
Seattle, WA 98101-4185

*Co-Counsel for Plaintiffs*

☐ Via Facsimile  
☒ Via Mail  
☐ Via Messenger

Timothy D. Kosnoff  
Law Offices of Timothy D. Kosnoff  
600 University Street, Suite 2100  
Seattle, WA 98101

*Co-Counsel for Plaintiffs*

☐ Via Facsimile  
☒ Via Mail  
☐ Via Messenger

DATED this 15<sup>th</sup> day of February, 2005, at Seattle, Washington.

  
Mary Ann Jarrett

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